



DAC  
#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named  
Inventor : Michael W. Pfeiffer et al.

Appln. No.: 09/129,468

Filed : August 4, 1998

For : ASSEMBLY DEVICE FOR  
COMPONENTS OF A DATA STORAGE  
SYSTEM AND METHOD OF ASSEMBLY  
THEREFOR

Docket No.: S01.12-0448

Group Art Unit: 3729

Examiner: M. Trinh

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OFFICE OF PETITIONS

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR § 1.137(b)**

Attention: Office of Petitions  
Commissioner for Patents  
BOX DAC  
Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
SENT BY U.S. MAIL, FIRST CLASS, TO THE  
ASSISTANT COMMISSIONER FOR PATENTS,  
WASHINGTON, D.C. 20231, THIS

12 DAY OF June 2001  
*Bludis Exvale*  
PATENT ATTORNEY

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to the Office Action mailed on September 29, 2000, which set a one month period for reply. The abandonment date of this application is March 1, 2001 (i.e., the day after the expiration of the period set for reply plus any extensions of time obtained therefor). Applicants filed an original reply to the Restriction Requirement and an Amendment on October 30, 2000. One of the digits of the serial number was wrong in the original reply filed October 30, 2000. A copy of the Response as filed on October 30, 2000 and postcard acknowledging receipt of the original response is enclosed herewith.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

Note: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--require for

all utility and plant applications filed before June 8, 1995, and for all design applications; and

(4) Statement that the entire delay was unintentional.

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1. Petition fee

- ☐ Small entity - fee \$ \_\_\_\_\_ (37 CFR § 1.17(m))
- ☐ Small entity statement enclosed herewith.
- ☐ Small entity statement previously enclosed.
- ☒ Other than small entity - fee \$ 1,240.00 (37 CFR § 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office Action in the form of a Response to Restriction Requirement and Amendment. (identify type of reply):

- ☒ has been filed previously on October 30, 2000 with an incorrect serial number and;
- ☒ is enclosed herewith with a corrected serial number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since the utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

4. Statement. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR § 1.27(b) was unintentional and was due to an error with the serial number identification.

Where a petition under 37 CFR § 1.37(b) is filed:

(1) more than three months from the date the applicant is first notified that the application is abandoned, explain (on

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an attached sheet) in detail the cause of the delay in filing the petition;

(2) more than one year from the date of abandonment, explain (on an attached sheet) in detail how the delay in discovering the abandoned status occurred and indicate the date that applicant first became aware of the date of abandonment.

June 12, 2001  
Date

Deirdre Megley Kvale  
Signature

Telephone  
Number: (612) 330-0485

Deirdre Megley Kvale  
Type or printed name

900 Second Avenue South  
Address

1600 International Center  
Minneapolis, MN 55402

Enclosures: ☒ Reply  
☒ Fee Payment

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

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